

## EXHIBIT B

Patent, Trademark, Copyright, Internet & Related Causes

Patterson, Thunte, Skaar & Christensen, P.A.

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September 22, 2006

**VIA U.S. MAIL**

Mr. Donald Hutchins  
1047 Longmeadow Street  
Longmeadow, MA 01106-2201

Re: Donald C. Hutchins v. Cardiac Science, Inc.  
Our File No. 1798.161-LIT-01  
Court File No. 04-30126-MAP

Dear Mr. Hutchins:

Enclosed and served upon you, please find the Amended Subpoena Duces Tecum with exhibits. If you have any questions or comments, please feel free to call.

Very truly yours,

PATTERSON, THUENTE,  
SKAAR & CHRISTENSEN, P.A.



Scott G. Ulbrich

SGU/rrg  
Enclosures

AO 88 (Rev. 1/94) Subpoena in a Civil Case

20301

Issued by the  
**UNITED STATES DISTRICT COURT**  
 District of Massachusetts

**AMENDED SUBPOENA IN A CIVIL CASE**

**William S. Parker,**  
**Plaintiffs,**  
 v.  
**CARDIAC SCIENCE, INC.,**  
**Defendant.**

**CASE NUMBER: 04-71028**  
**EASTERN DISTRICT OF MICHIGAN**

**TO: Donald Hutchins**  
**1047 Longmeadow Street**  
**Longmeadow, MA 01106**

☐ **YOU ARE COMMANDED** to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

**PLACE OF TESTIMONY****COURTROOM****DATE AND TIME**

☒ **YOU ARE COMMANDED** to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

**PLACE OF DEPOSITION**

Catuogno Court Reporting, 1 Marnark Place  
 1414 Main Street, 6<sup>th</sup> Floor, Springfield, MA 01144

**DATE AND TIME**

October 12, 2006  
 at 9:00 a.m.

☒ **YOU ARE COMMANDED** to produce and permit inspection and copying the following documents or objects listed on the attached Exhibit A at the place, date, and time specified below:

**PLACE**

Patterson, Thunte, Skaar & Christensen, P.A.  
 80 South 8<sup>th</sup> Street, Suite 4800, Minneapolis, MN 55402

**DATE AND TIME**

October 5, 2006  
 at 9:00 a.m.

☐ **YOU ARE COMMANDED** to permit inspection of the following premises at the date and time specified below.

**PREMISES****DATE AND TIME**

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one of more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

**ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT):**  
 Attorney for Cardiac Science

**DATE:**

*Sept. 22, 2006*

**ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER**

Scott Ulbrich (612) 349-5740  
 Patterson, Thunte, Skaar, & Christensen, P.A., 4800 IDS Center, 80 South 8th Street, Minneapolis, MN 55402

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN

WILLIAM S. PARKER,

Plaintiff,

V.

CARDIAC SCIENCE, INC.,

Defendant.

Civil Action No. 04 - 71028

Hon. Sean F. Cox

Mag. Judge Steven D. Pepe

**NOTICE OF SUBPOENA**

PLEASE TAKE NOTICE that pursuant to Rule 45, Fed.R.Civ.P., William S. Parker, hereby serves the attached subpoena on Donald Hutchins.

Respectfully submitted,

*[Handwritten signature]*

Raymond P. Niro  
Christopher J. Lee

David J. Sheikh

Frederick C. Laney

Kara L. Szpondowski

NIRO, SCAVONE, HALLER &amp; NIRO

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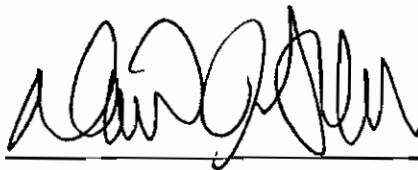
*Attorneys for Plaintiff, William S. Parker*

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **NOTICE OF SUBPOENA** was served upon the following parties on this 25<sup>th</sup> day of September 2006 by facsimile and first class mail:

Gary D. Sharp  
FOLEY & MANSFIELD, P.L.L.P.  
24255 W. 13 Mile Road  
Suite 200  
Bingham Farms, MI 48025  
Phone: 248-540-9636  
Fax: 248-540-9639

Randall T. Skaar  
Eric H. Chadwick  
Scott G. Ulbrich  
PATTERSON, THUENTE, SKAAR &  
CHRISTENSEN, P.A.  
4800 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, Minnesota 55402  
Phone: (612) 349-5740  
Fax: (612) 349-9266  
*Attorneys for Defendant, Cardiac Science, Inc.*



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**Issued by the  
UNITED STATES DISTRICT COURT  
For The District of Massachusetts**

William S. Parker

Plaintiff,

v.

Cardiac Science, Inc.

Defendants.

**SUBPOENA IN CIVIL CASE**

**CASE NUMBER: 04-71028 (E.D. Mich.)**

TO: Donald Hutchins  
1047 Longmeadow St.  
Longmeadow, MA 01106

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PLACE OF TESTIMONY

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DATE AND TIME

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PLACE OF DEPOSITION

Catuogno Court Reporting  
1 Marnark Place  
1414 Main Street, 6<sup>th</sup> Floor  
Springfield, MA 01144

DATE AND TIME

October 12, 2006  
at 9:00 a.m.

☐ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE

DATE AND TIME

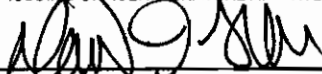
☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify, Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)



(Attorney for Plaintiff)

DATE

September 25, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

David J. Sheikh  
NIRO, SCAVONE, HALLER & NIRO  
181 W. Madison/Suite 4600  
Chicago, Illinois 60602  
(312) 236-0733

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

<sup>1/</sup> If action is pending in district other than district of issuance, state district under case number.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et al;

Defendants

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Civil Action: 04-30126-MAP

**DECLARATORY JUDGMENT**

The Court finds that the ownership of the following intellectual properties belonging to the Plaintiff was not at issue in this case:

“U.S. Patent 5,913,685, U.S. Patent 4,583,524, U.S. Patent Re 34,800, Canadian Patent 1249368, European Patent 01833462 (includes Belgium, Switzerland, Germany, France, United Kingdom, Italy, Luxembourg), also Copyright Registrations No. TXu-210-208 and No. TXu-213-859 and U.S. Trademark Registration No. 1,398,334 for the mark CPR Prompt®.”

The Court declares that ownership in these properties has not changed through the decisions of this Court. Therefore the Plaintiff Donald C. Hutchins retains ownership in these properties as governed by the Rules of Congress and the Regulations of the U.S. Patent Office and the Library of Congress.

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Justice of the United States District Court

Dated: \_\_\_\_\_